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Attorneys for Plaintiff
CRAIG YATES, an individual

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES , an individual,
Plaintiff,

v.

HAMBURGER HAVEN; MARIAN B.
MOHR, Trustee OF THE SELBY MOHR and
MARIAN B. MOHR DECLARATION OF
TRUST dated May 15, 1988; and
MOHAMMAD TAGHE FALAHATI, an
individual dba HAMBURGER HAVEN,

Defendant.

CASE NO. CV-12-0398- CW

STIPULATION TO DISMISSAL OF
ACTION

The parties, by and through their respective counsel, hereby stipulate, agree and request
the Court enter as follows:

A) The claims of Plaintiff Craig Yates' asserted in this Action shall be dismissed,
with prejudice, in their entirety pursuant to Fed.R.Civ.P.41(a)(2); and

B) The claims of Marian B. Mohr, Trustee of the Selby Mohr and Marian B. Mohr
Declaration of Trust dated May 15, 1988, in this Action shall be dismissed without
prejudice pursuant to Fed.R.Civ.P.41(a)(2).

Outside of the terms of that certain Settlement Agreement and General Release ("Agreement")

STIPULATION TO DISMISSAL OF ACTION -- CASE NO. CV-12-0398- CW

executed by the parties, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

Dated: January 30, 2013

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION
By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
Attorney for CRAIG YATES, an individual

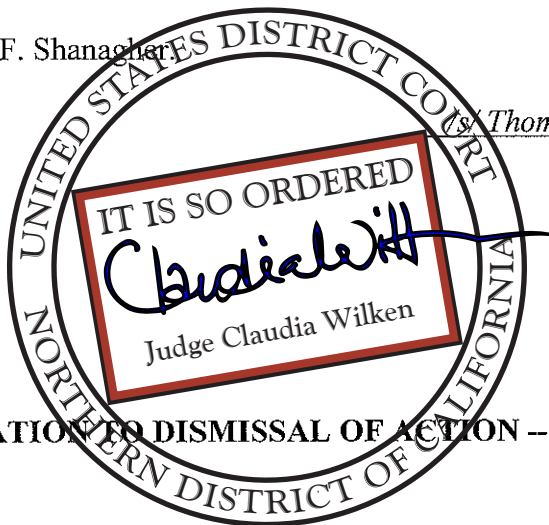
Dated: January 28, 2013

JEFFER MANGELS BUTLER & MITCHELL LLP
By: /s/ Martin H. Orlick
Martin H. Orlick
Matthew Kenefick
Attorneys for Defendant MOHAMMAD TAGHE
FALAHATI, an individual dba HAMBURGER
HAVEN

Dated: January 28, 2013

MCKENNA LONG & ALDRIDGE LLP
By: /s/ Denis F. Shanagher
Denis F. Shanagher
Attorney for Defendants MARIAN B. MOHR,
Trustee OF THE SELBY MOHR and MARIAN B.
MOHR DECLARATION OF TRUST dated May
15, 1988

I attest that I have obtained concurrence in the filing of this document from Martin H.
Orlick and Denis F. Shanagher



STIPULATION TO DISMISSAL OF ACTION -- CASE NO. CV-12-0398-CW